

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                           |   |                            |
|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, | ) | CASE NO. 5:18 CR 697       |
|                           | ) |                            |
| Plaintiff                 | ) | JUDGE SOLOMON OLIVER, JR.  |
|                           | ) |                            |
| v.                        | ) | ORDER ACCEPTING PLEA       |
|                           | ) | AGREEMENT, JUDGMENT AND    |
| BO BYRANT HOSTETTLER,     | ) | REFERRAL TO U.S. PROBATION |
|                           | ) | <u>OFFICE</u>              |
| Defendant                 | ) |                            |

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge David A. Ruiz, regarding the change of plea hearing of Bo Bryant Hostettler, which was referred to the Magistrate Judge with the consent of the parties.

On November 15, 2018, the government filed a one count Indictment, charging Defendant Bo Bryant Hostettler, with Felon in Possession of a Firearm and Ammunition, in violation of Title 18 United States Code Section 922(g)(1). Defendant Hostettler was arraigned on November 29, 2018, and entered a plea of not guilty to Count 1 of the Indictment, before Magistrate Judge Burke. On February 12, 2019, Magistrate Judge Ruiz, received Defendant Hostettler's plea of guilty to Count 1 of the Indictment, and issued a Report and Recommendation ("R&R"), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant Hostettler is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis

for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant Hostettler is adjudged guilty to Count 1 of the Indictment, in violation of Title 18 United States Code, Section 922(g)(1). This matter was referred to the U. S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on May 20, 2019, at 11:00 a.m. in Courtroom 17A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.  
UNITED STATES DISTRICT JUDGE

February 28, 2018